

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

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In re	:	Chapter 9
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CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Steven W. Rhodes
	:	
-----X		

**OBJECTION OF DEBTOR TO OAKLAND COUNTY'S MOTION
FOR ENTRY OF AN ORDER EXTENDING DEADLINE TO FILE
OBJECTIONS TO THE CITY OF DETROIT, MICHIGAN'S PROPOSED
FOURTH AMENDED PLAN OF ADJUSTMENT [DOCKET No. 4450]**

The City of Detroit (the "City"), as the debtor in the above-captioned case, hereby asserts this objection (this "Objection") to Oakland County's Motion for Entry of an Order Extending Deadline to File Objections to the City of Detroit, Michigan's Proposed Fourth Amended Plan of Adjustment (Docket No. 4450) (the "Motion")¹ filed by Oakland County, Michigan ("Oakland County").

In support of this Objection, the City respectfully represents as follows:

Objection

1. The Motion should be denied because Oakland County has failed to demonstrate good cause for the relief requested therein, as required by this

¹ Capitalized terms not otherwise defined herein have the meanings given to them in the Motion.

Court's Fourth Amended Order Establishing Procedures, Deadlines and Hearing Dates Relating to the Debtor's Plan of Adjustment (Docket No. 4202) (the "Fourth Amended Scheduling Order"). See Fourth Amended Scheduling Order at p. 3.

2. The City filed the first iteration of its plan of adjustment (as it has been and may be further amended, modified or supplemented, the "Plan")² on February 21, 2014, and the deadline for filing objections to the Plan (the "Plan Objection Deadline") has long been established, and even extended by the Court from time to time as circumstances have warranted. Thus, all creditors and parties in interest — including Oakland County — have had ample time to review the Plan and formulate their objections thereto.

3. In support of its requested seven-day extension of the Plan Objection Deadline, Oakland County argues that it "will need time to review [the City's discovery responses] and determine [their] impact ... upon Oakland County's preliminary objections to the Plan." Motion at ¶ 6. The "time" requested by Oakland County, however, is set forth in the Fourth Amended Scheduling Order. The Fourth Amended Scheduling Order establishes a six-day window between the deadline for complying with timely written discovery requests (May 6, 2014) and the Plan Objection Deadline that applies to all parties other than

² See Docket No. 2708. Subsequent iterations of the Plan were filed on March 31, 2014 (Docket No. 3380), April 16, 2014 (Docket No. 4140), April 25, 2014 (Docket No. 4271) and May 5, 2014 (Docket No. 4392).

individual bondholders and individual retirees, and Oakland County has provided no basis for why it, specifically, requires relief from the Court-ordered six-day window. See Fourth Amended Scheduling Order at ¶¶ 4, 7.

4. Moreover, the Fourth Amended Scheduling Order already anticipates this precise circumstance and provides parties the opportunity to file supplemental objections by July 18, 2014 "to the extent that discovery ... give[s] rise to additional or modified objections to the [P]lan." Id. at ¶ 18. Thus, Oakland County's proposed justification for the extension of the Plan Objection Deadline of needing more time to review discovery responses simply does not support such relief.

5. Oakland County argues further that it "is hopeful that the mediation process ... will result in resolution of some or all of its preliminary objections to the Plan." However, the *potential* benefit of Oakland County resolving its preliminary objections to the Plan without having to file an objection to the Plan is far outweighed by the *actual* cost to the City of not receiving all objections to the Plan by May 12, 2014 and having the allotted two-week period to respond to all such objections.³

³ Moreover, in the event that any of Oakland County's objections to the Plan are resolved after the filing its objection, Oakland County is free to withdraw any such objections.

6. The City already faces a substantial task. The City expects that numerous objections will be filed by the Plan Objection Deadline, and that it will be required to work diligently throughout the entire two-week period before its combined response is due in order to adequately address each such objection. Thus, contrary to the assertions of Oakland County, the relief requested in the Motion will impair the City's ability to timely respond to any objections raised by Oakland County (see Motion at ¶ 9), and Oakland County simply has not demonstrated good cause for such relief.

In light of the foregoing, the City respectfully requests that this Court enter an order denying the Motion.

Dated: May 6, 2014

Respectfully submitted,

/s/ Heather Lennox

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ATTORNEYS FOR THE CITY

CERTIFICATE OF SERVICE

I, Heather Lennox, hereby certify that the foregoing Objection of Debtor Oakland County's Motion for Entry of an Order Extending Deadline to File Objections to the City of Detroit, Michigan's Proposed Fourth Amended Plan of Adjustment [Docket No. 4450], was filed and served via the Court's electronic case filing and noticing system on this 6th day of May, 2014.

/s/Heather Lennox